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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Alexis Monge,

10 Plaintiff,

11 v.

12 Everwell Home Health Care LLC, et al.,

13 Defendants.
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No. CV-24-03007-PHX-KML

ORDER

15 Plaintiff Alexis Monge filed a statement of discovery dispute. (Doc. 56.) That
16 statement includes evidence that defendant Shanea Howell refused to participate in the
17 drafting of the joint statement. Because of that refusal, the court resolves the dispute
18 without the benefit of hearing from Howell.

19 The discovery requests sent to Howell involve issues that are central to Monge
20 proving her claims and are appropriate. For example, Howell may be personally liable for
21 unpaid wages if she had “control over the nature and structure of the employment
22 relationship, or economic control over the relationship.” *Boucher v. Shaw*, 572 F.3d 1087,
23 1091 (9th Cir. 2009) (simplified). One of Monge’s requests for admission seeks to establish
24 the extent of Howell’s control by asking whether Howell “had the authority to set and
25 control work schedules.” (Doc. 56-3 at 12.) Howell responded to that request with
26 irrelevant statements regarding her attempt to pay Monge. (Doc. 56-3 at 16.) Howell’s
27 responses are impermissible.

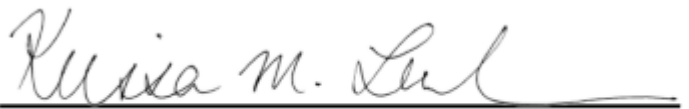
28 Howell is given a brief extension to provide complete and accurate responses to the

1 discovery requests. Howell is warned that failure to comply with this order may result in
2 the striking of her answer and the entry of default judgment against her.

3 Accordingly,

4 **IT IS ORDERED** no later than **November 10, 2025**, defendant Shanea Howell
5 shall provide complete and accurate responses to the discovery requests attached to Doc.
6 56.

7 Dated this 28th day of October, 2025.

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11 **Honorable Krissa M. Lanham**
12 **United States District Judge**
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